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PATENT
Attorney Docket No. 25734X

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

POPP

Serial No.: 10/791,839

Filing Date: March 4, 2004

For: **ANTIMICROBIAL TOPICAL COMPOSITIONS FOR TREATMENT OF
ROSACEA**

TRANSMITTAL LETTER

Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith for filing in the U.S. Patent and
Trademark Office is the following:

- 1) Transmittal Letter;
- 2) Information Disclosure Statement;
- 3) PTO-Form 1449 citing Forty-Nine (49) References.

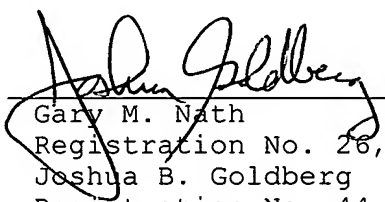
The Commissioner is specifically authorized to charge any required fee deficiency under 37 CFR §§ 1.16 or 1.17, or credit any overpayment, to Deposit Account No. 14-0112 in connection with this matter.

Respectfully submitted,

NATH & ASSOCIATES PLLC

Date: February 10, 2006
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By:


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INFORMATION DISCLOSURE STATEMENT

Commissioner of Patents
Washington, D.C. 20231

Sir:

An Information Disclosure Statement is submitted herewith pursuant to 37 C.F.R. § 1.97-1.98. Please note the following particulars:

[NOTE: One only of items a, b, c, and d must be checked.]

[X] a. The enclosed statement is being filed within three months of the filing date of a national application, or within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever event occurs last.

[] b. The enclosed statement is being filed after a first action on the merits but before the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311.

The enclosed statement is accompanied by [check one]:

[] i. a certification in part (e) below as specified in 37 C.F.R. § 1.97(e), or

[] ii. a check in the amount required by 37 C.F.R. § 1.17(p).

[] c. The enclosed statement is being filed after the mailing date of a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, but before payment of the issue fee.

[] Certification report(e) below; and

[] a check in the amount as required by § 1.17(p).

[] d. The enclosed statement is being filed pursuant to 37 C.F.R. § 1.97(i), for placement in the file.

- ☐ e. Certification [Check one] [Certification is required only if box (b)(i) or box (c) is checked.]
- ☐ I hereby certify that each item of information contained in the enclosed Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement,
- or
- ☐ I hereby certify that no item of information in the enclosed Information Disclosure Statement herewith was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- or
- ☐ Appropriate certification is attached.
- ☒ f. If no check is enclosed and a fee is due in connection with this communication or if the check enclosed is insufficient, the Commissioner is specifically authorized to charge any fee or additional fee due in connection with this communication to Deposit Account No. 14-0112.
- ☐ g. Copies of the non-U.S. patent documents are attached herewith with a completed Form PTO-1449.
- or
- ☒ Copies of the documents are not attached as allowed under CFR § 1.98(d)(1)(2). The earlier application is identified as: U.S. Application No. 10/698,431.

The Examiner is respectfully requested to cite the documents listed on the attached Form PTO-1449 in the next Office Action. In so doing, the Examiner is respectfully requested to initial in the space adjacent to the listing of each document on the Form PTO-1449, and return a copy of the initialed Form PTO-1449 with the next communication to Applicants, to confirm that these documents have been considered by the Examiner and made of record in this application.

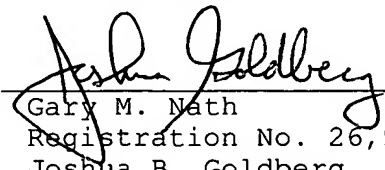
If the Examiner has any questions or wishes to discuss this application, kindly telephone the undersigned at the below-listed number.

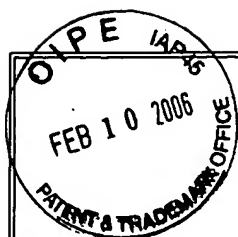
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FORM PTO-1449

INFORMATION DISCLOSURE CITATIONAtty. Docket
25734XSerial No.
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Applicant

POPP

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March 4, 2004Group Art Unit
Unknown

FOREIGN PATENT DOCUMENTS

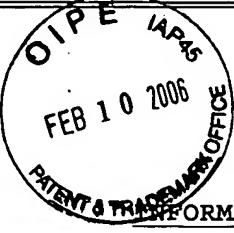
	Document Number	Date	Country	Class	Sub-Class	Translation
	0,273,202 B1	06/21/1995	EP			n/a
	0,313,305 A2	04/26/1989	EP			n/a
	0,599,819 B1	04/02/1997	EP			n/a
	0,680,745 B1	11/06/2002	EP			Abstract
	0,963,158 B1	07/16/2003	EP			n/a
	0,983,037 B1	05/02/2003	EP			n/a
	0,996,410 (Corresponds to WO 98/52518)	11/26/1998	EP			n/a
	1,064,916 A1	01/03/2001	EP			Abstract
	1,100,454 (Corresponds to WO 00/06116)	02/10/2000	EP			n/a
	1,104,280 (Corresponds to WO 00/07627)	02/17/2000	EP			n/a
	1,284,135 A2	02/19/2003	EP			n/a
	1,312,366 A1	05/21/2003	EP			n/a
	1,321,137 A1	06/25/2003	EP			n/a
	01/66145 A1	09/13/2001	WIPO			n/a
	1,324,077	11/09/1993	CA			n/a
	1,331,144	08/02/1994	CA			n/a
	1,334,008	01/17/1995	CA			n/a
	1,339,706	03/10/1998	CA			n/a
	1,340,120	11/10/1998	CA			n/a
	2,148,651 (Corresponds to US 5650145)	07/18/2000	CA			Abstract
	2,267,165	04/02/1998	CA			n/a
	2,309,373	11/27/2000	CA			n/a
	2,309,413	11/27/2000	CA			n/a
	2,339,231	02/17/2000	CA			n/a
	2,373,852 A1	01/11/2001	CA			n/a
	2,398,222 A1	02/16/2003	CA			n/a
	2,414,343 A1	06/21/2003	CA			n/a
	2,416,512 A1	01/24/2002	CA			n/a

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

Dittmar, W., "Non-European open clinical studies on the efficacy and tolerance of ciclopirox olamine in dermatomycoses Summary Report", Arzneim.-Forsch. Drug Res., 31(II), no. 8a, pp. 1381-1385, (1981).

Examiner

Date Considered

	FORM PTO-1449		Atty. Docket 25734X	Serial No. 10/791,839
	INFORMATION DISCLOSURE CITATION		Applicant POPP	
	Filing Date March 4, 2004		Group Art Unit Unknown	
OTHER (Including Author, Title, Date, Pertinent Pages, etc.)				
			Shuster, S., "The Aetiology of Dandruff and the Mode of Action of Therapeutic Agents", <u>British J. of Dermatology</u> , vol. III, pp. 235-242 (1984).	
			Sei, Y. et al., "Seborrheic Dermatitis: Treatment with Anti-Mycotic Agents", <u>J. of Dermatology</u> , vol. 21, pp. 334-340 (1994).	
			Bergbrant, I., "Seborrheic Dermatitis and Pityrosporum ovale: Cultural, Immunological and Clinical Studies", <u>Acta Dermato-Venereologica, Supplementum</u> 167, pp. 1-9 (1991).	
			Adam, W. et al., "Clinical results with the antimycotic agent ciclopirox olamine", <u>Arzneim.-Forsch. Drug Res.</u> , vol. 31(II), no. 8a, pp. 1360-1365, (1981).	
			Lassus, A. et al., "Comparison of Ciclopirox Olamine 1% Cream with Ciclopirox 1%-Hydrocortisone Acetate, 1% Cream in the Treatment of Inflamed Superficial Mycoses", <u>Clinical Therapeutics</u> , vol. 10, no. 5, pp. 594-599 (1988).	
			Faergemann, J., "Pityriasis Versicolor", <u>Seminars in Dermatology</u> , vol. 12, no. 4, pp. 276-279 (December 1993).	
			Shuster, S., "Dandruff, Seborrheic Dermatitis, and Pityrosporum Ovale", <u>Cosmetics and Toiletries</u> , vol. 103, pp. 87-91 (March 1988).	
			Abrams, B., "Ciclopirox Olamine: A Hydroxypyridone Antifungal Agent", <u>Clinics in Dermatology</u> , vol. 9, pp. 471-477 (1992).	
			Davies, D.B. et al., "Comparative efficacy of shampoos containing coal tar (4.0% w/w, Tarmed™), coal tar (4.0% w/w) plus ciclopirox olamine (1.0% w/w, Tarmed™ AF) and ketoconazole (2.0% w/w; Nizoral®) for the treatment of dandruff/seborrheic dermatitis", <u>J. of Dermatological Treatment</u> , vol. 10, pp. 170-183 (1999).	
			Shuttleworth, D. et al., "Comparative clinical efficacy of shampoos containing ciclopirox olamine (1.5%) or ketoconazole (2%; Nizoral®) for the control of dandruff/seborrheic dermatitis", <u>J. of Dermatological Treatment</u> , vol. 9, pp. 157-162 (1998).	
			Amos, H. et al., "Clinical efficacy of Polytar (Fongitar) and Nizoral scalp treatment in patients with dandruff/seborrheic dermatitis", <u>J. of Dermatological Treatment</u> , vol. 5, pp. 127-130 (1994).	
			Lorenzini, R. et al., "In Vitro Sensitivity of Malassezia SPP. to Various Antimycotics", <u>Drugs Exptl. Clin. Res.</u> , vol XI(6), pp. 393-395 (1985).	
			Danby, W. et al., "A randomized, double-blind, placebo-controlled trial of ketoconazole 2% shampoo versus selenium sulfide 2.5% shampoo in the treatment of moderate to severe dandruff", <u>J. of the American Academy of Dermatology</u> , vol. 29, no. 6, pp. 1008-1012 (1993).	
			Fitzgerald, D., "Relieving the scaling scalp: which treatment?", <u>Prescriber</u> , vol. 19, pp. 55-61 (1993).	
			Shapiro, J et al., "Medicated Shampoos", <u>Clinics in Dermatology</u> , vol. 14, pp. 123-128 (1996).	
			Shuster, S. et al., "Seborrheic Dermatitis and Dandruff - A Fungal Disease", <u>Royal Society of Medicine Services Ltd. - International Congress and Symposium Series</u> , no. 132, pp. 1-52 (1988).	
			McGrath, J. et al., "The Control of Seborrheic Dermatitis and Dandruff by Antipityrosporal Drugs", <u>Drugs</u> , vol. 41, no. 2, pp. 178-184 (1991).	
			Faergemann, J., "Short-Term Treatment of Dandruff with a Combination of Propylene Glycol Solution and Shampoo", <u>Cutis</u> , vol. 42, no. 2, p. 146 (1988).	
			Cullen, S.I. et al., "Treatment of Tinea Versicolor with a New Antifungal Agent, Ciclopirox Olamine Cream 1%", <u>Clinical Therapeutics</u> , vol. 7, no. 5, pp. 574-583 (1985).	
			Peter, R.U. et al., "Successful treatment and prophylaxis of scalp seborrheic dermatitis and dandruff with 2% ketoconazole shampoo: results of a multicentre, double-blind, placebo-controlled trial", <u>British J. of Dermatology</u> , vol. 132, pp. 441-445 (1995).	
Examiner			Date Considered	